

Attorney Docket No. 01196/LH

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant(s): S. NAGATOMO et al.

Serial No. : 09/823,134

Filed : March 30, 2001

For : NON-CIRCULAR RECORDING MEDIUMS
AND METHODS AND APPARATUS FOR
CONTROLLING THE NON-CIRCULAR
RECORDING MEDIUMS

Art Unit : 2655

Examiner : PATEL, GAUTAM

RESPONSE- 37 CFR 1.111

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
MAIL STOP NON-FEE AMENDMENT

S I R :

This is responsive to the Office Action mailed
August 28, 2003, the term for response to which expires on
September 28, 2003.

ELECTION

Applicants hereby elect Invention B, and Species 1 (Fig. 14)
for further prosecution on the merits, without traverse.

CLAIMS READABLE ON ELECTED SPECIES

The claims readable on elected Invention B and Species 1,
are claims 1-6.

CERTIFICATE OF FACSIMILE
TRANSMISSION
TO NO.703-872-9314

TOTAL PAGES: 2
I hereby certify that this
paper is being facsimile
transmitted to the
Commissioner for
Patents Office
on the date noted below.

N. Sahadeo
Nalini P. Sahadeo

Dated: September 11, 2003

In the event that this Paper
is late filed, and the
necessary petition for
extension of time is not filed
concurrently herewith, please
consider this as a Petition
for the requisite extension of
time, and to the extent not
tendered by check attached
hereto, authorization to
charge the extension fee to
Account No. 06-1378.

OFFICIAL

**RECEIVED
CENTRAL FAX CENTER
SEP 11 2003**

*Claims 1-5
called
Leonard Hottel to
confirm
10/23/03*

For the Examiner's information, elected Invention B corresponds to Figs. 1-15C, and elected Species 1 corresponds to Fig. 14.

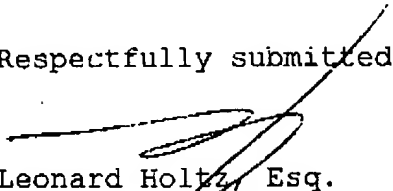
Applicants have informed the undersign that the original inventorship is still correct for the elected subject matter.

If a generic claim is ultimately found to be allowable, it is requested that the Examiner consider claims directed to non-elected species and/or inventions, so long as such claim depend from or otherwise include the subject matter of an allowable generic claim.

It is respectfully submitted that this submission is fully responsive to the outstanding Office Action. It is respectfully requested that prosecution on the merits now proceed on the basis of the election set forth hereinabove.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,


Leonard Holtz, Esq.
Reg. No. 22,974

September 11, 2003

Frishauf, Holtz, Goodman & Chick, P.C.
767 Third Avenue - 25th Floor
New York, New York 10017-2023
Tel. No. (212) 319-4900
Fax No. (212) 319-5101
LH/nps

RECEIVED
CENTRAL FAX CENTER
SEP 11 2003

OFFICIAL